

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

E-CONTACT TECHNOLOGIES LLC

Plaintiff,

v.

APPLE INC., ET AL.

Defendants.

CIVIL ACTION NO. ~~1:11-CV-426~~

1 : 1 2 C V 0 0 4 0

JURY TRIAL DEMANDED

JOINT MOTION TO SEVER MICROSOFT

Plaintiff E-Contact Technologies LLC (“E-Contact”) and Defendant Microsoft Corporation (“Microsoft”) file this Joint Motion to Sever Microsoft from the current action. Microsoft has alleged that a potential conflict of interest would remain if E-Contact’s current law firm, Antonelli, Harrington & Thompson LLP, continues to represent E-Contact against Microsoft. Neither E-Contact nor the Antonelli, Harrington & Thompson LLP law firm believes that there is any conflict of interest. But in order to resolve this issue, both parties have agreed to sever Microsoft from the current action into a new action where E-Contact will be represented by different counsel.

Accordingly E-Contact and Microsoft jointly request the Court, pursuant to the Court’s inherent powers and Rule 20(b), to issue the attached Order severing Microsoft from this action into its own separate case.

Dated: January 11, 2012

Respectfully submitted,

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Attorneys For Defendant Microsoft Corporation

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of January, 2012 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Zachariah S. Harrington
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